UNITED STATES DISTRICT COURT DISTRICT OF NEVADA Martin Skropeta, Case No.: 2:21-cy-00171 Petitioner **Order Dismissing Action** [ECF No. 7]

Calvin Johnson,

Respondent

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Martin Skropeta brings this habeas corpus petition under 28 U.S.C. § 2254 to challenge his state-court convictions for second-degree murder and robbery. I reviewed his petition for sufficiency under Rule 4 of the Rules Governing Section 2254 Cases in the United States District 12 Courts. I found that all of his grounds for relief were too vague, among other defects, and I 13 directed Skropeta to file an amended petition that alleged all the facts in support of his grounds.² 14 I also warned him that I would dismiss the action if he did not file an amended petition in the 15 allotted time. 3 Skropeta has not filed anything in this action after that order, so I dismiss the 16 action without prejudice to Skropeta's ability to commence a new habeas corpus action. 17 However, I make no statement whether any new habeas corpus petition that Skropeta files will 18 be free from procedural bars or timely.⁴

Reasonable jurists would not find my determinations to be debatable or wrong, so I deny 20 a certificate of appealability.

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¹ ECF No. 7.

 $^{^{2}}$ *Id.* at 1–3.

 $^{^{3}}$ *Id.* at 3.

⁴ See, e.g., 28 U.S.C. § 2244(d)(1).

IT THEREFORE IS ORDERED that this action is **DISMISSED without prejudice**because petitioner failed to file an amended petition for a writ of habeas corpus. I direct the
clerk of the court to **ENTER JUDGMENT ACCORDINGLY** and to **CLOSE THIS CASE**.

IT FURTHER IS ORDERED that a certificate of appealability is DENIED.

Dated: July 6, 2021

U.S. District Judge